not described in the specification. Applicants respectfully traverse this rejection and request reconsideration and withdrawal thereof.

The Examiner alleges that the terminology "repeated exposures to temperatures exceeding 900 °C" is new matter. As pointed out in the response filed August 6, 2001, cyclic exposure to temperatures above 900 °C is disclosed in the specification at page 20, Tables 7 and 8. Those Tables show fibers that were subjected to repeated thermal cycling at temperatures that were above 900 °C (i.e., at 1000 °C and at 1100 °C). Support for 900 °C as a lower limit on temperature is found in the claims as originally filed. Tables 7 and 8 merely confirm that the thermal cycling occurred above this temperature.

The Examiner has also alleged that claim 23 lacks support for "3.5 hours or greater." As pointed out in the August 6, 2001 response, Figure 3 provides support for the 3.5 hour lower limit. Support for longer exposures (i.e., 24 hours) can be found elsewhere in the specification (e.g., page 3, line 1).

Contrary to the Examiner's assertions, the claims are fully supported by an enabling and adequate written description, and the Examiner's rejection should be withdrawn.

II. ANTICIPATION AND OBVIOUSNESS REJECTIONS

In paragraph 4 of the Office action, the Examiner has rejected claims 14-23 under 35 U.S.C. § 102(b) as anticipated by, or under 35 U.S.C. § 103(a) as obvious over, Olds et al. (U.S. Patent No. 5,322,699 or WO 87/05007) or Karppinen et al. Applicants respectfully traverse these rejections and request reconsideration and withdrawal thereof.

The Examiner asserts that, despite the failure of the cited references to teach methods of insulating articles against repeated exposure to temperatures exceeding 900 °C, the claims are anticipated or rendered obvious because the process steps recited therein are not "an active process step requiring exposure at 900 °C or greater."

Applicants reiterate the arguments made in the response filed August 6, 2001. Absent some teaching in the cited references that the insulation disclosed therein is disposed on or near articles that will be subjected to the thermal cycling recited in the claims, there is no anticipation. It is inappropriate and improper for the Examiner to simply read out of the claim the recited requirement that the articles being insulated will be subject to repeated exposure to temperatures of 900 °C or greater, and then allege that since both the cited reference and the (now modified by the Examiner) claim dispose insulation on or around articles, the claim is anticipated or rendered obvious.

The approach taken by the Examiner, together with the language employed in addressing Applicants' arguments, indicates that the Examiner may have some concern with the definiteness of Applicants' claims (but apparently not enough concern to justify making a separate rejection under 35 U.S.C. § 112, second paragraph and making the current Office action non-final). The claims are directed to a method for insulating an article. The claims recite the type of thermal exposure which the article is insulated against – a perfectly reasonable limitation in a claim to a method for insulating, and one not shown or suggested in the cited art. The claims also recite a positive process step: disposing the insulation on, in, near, or around the

article requiring the insulation, and that will be subjected to the recited thermal cycling. Again, this is completely reasonable to recite in a claim to a method for insulating, and is not taught or suggested in the cited art.

It is not necessary for Applicants to recite a step of exposing the insulated article to thermal cycling. It is sufficient for the claims to recite merely that the article will be so exposed, because the cited art does not disclose insulating such an article.

Further, the Examiner's allegation that the level of resistance required is not quantified is clearly incorrect. The claims specify the maximum service temperature of the insulation and its maximum shrinkage level. As the Examiner is doubtless aware, materials exposed to the type of heating and thermal cycling recited in the claims are generally refractory materials that must not shrink unduly, or high temperature gases will damage the underlying surfaces of the article.

Finally, the Examiner's comments regarding the identity of properties of identical chemical compositions is inapposite. Applicants are not claiming the compositions. They are claiming new methods of use. By the Examiner's reasoning, there could never be patent coverage for new uses for old compounds or compositions. The existence of myriad patents of this nature shows the Examiner's reasoning to be incorrect.

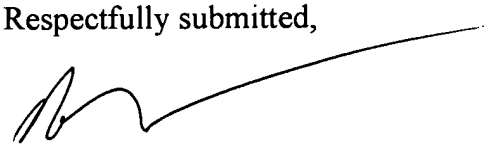
The claims are clear and definite, in the sense that a worker of skill in the art would readily be able to determine whether a particular method of insulating an article falls within the scope of the claims. Moreover, the recited limitations are not taught or suggested in any of the art cited by the Examiner.

Applicants submit that the present claims are in condition for immediate allowance, and an early notification to that effect is earnestly solicited. If the Examiner has any questions or if any issues remain to be resolved, the Examiner is respectfully requested to contact the undersigned at 404.815.6218 to discuss said issues.

Pursuant to 37 C.F.R. 1.136(a), Applicants herewith petition that the period for filing the brief be extended for two months, to and including January 29, 2002. Our check in the amount of $400.00 to cover the fee under 37 C.F.R. 1.17 is enclosed.

The Commissioner is authorized to charge any additional fees that may be due or credit any overpayment to Deposit Account No. 11-0855.

Respectfully submitted,



Bruce D. Gray
Reg. No. 35,799

Date: January 29, 2002
KILPATRICK STOCKTON LLP
Suite 2800, 1100 Peachtree Street
Atlanta, Georgia 30309-4530
(404) 815-6218